

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ARMEND A. TRNAVA,)	
)	
Plaintiff,)	
)	Case No. 20 C 0928
v.)	
)	Judge Sharon Coleman
CHICAGO CUT STEAKHOUSE, LLC,)	
)	Magistrate Judge Maria Valdez
Defendant.)	

**DEFENDANT’S AGREED MOTION FOR EXTENSION OF TIME TO FILE ITS
PARTIAL MOTION TO DISMISS PLAINTIFF’S AMENDED COMPLAINT AND TO
RESPOND TO PLAINTIFF’S RULE 60(b) MOTION**

Defendant, Chicago Cut Steakhouse, LLC, by and through its attorney, pursuant to Fed. R. Civ. P. 6(b), moves this Court for an extension to file its partial motion to dismiss Plaintiff, Armend A. Trnava’s (“Plaintiff”), Amended Complaint (Dkt. 44) and Plaintiff’s Motion for Reconsideration pursuant to Fed. R. Civ. P. 60(b) (Dkt. 49). In support of its Motion, Defendant states as follows:

1. On May 25, 2021, Plaintiff filed an Amended Complaint and, on July 9, 2021, filed a Motion to Reconsider the Court’s dismissal of part of his claims pursuant to Fed. R. Civ. P. 60(b). Dkts. 44. On July 6, 2021, the Court entered a briefing schedule. Dkt. 47.

2. On August 17, 2021, Defendant moved to extend the briefing schedule due to a death in its counsel’s family, which Plaintiff did not oppose. Dkt. 54. The Court granted Defendant’s motion and revised the briefing schedule as follows: (a) Defendant’s Motion to Dismiss the Amended Complaint and response to Plaintiff’s Rule 60(b) Motion due on August 27, 2021; (b) Plaintiff’s reply in support of his Rule 60(b) Motion and response to Defendant’s Motion to Dismiss due on September 24, 2021; and (c) Defendant’s reply in support of its Motion to Dismiss due on October 8, 2021. Dkt. 55.

3. Defendant's counsel's personal issue extended more than expected. Therefore, Defendant respectfully requests another extension to file Defendant's Motion to Dismiss and response to Plaintiff's Rule 60(b) Motion, and that the briefing schedule be revised as follows: (a) Defendant's Motion to Dismiss the Amended Complaint and response to Plaintiff's Rule 60(b) Motion due on September 7, 2021; (b) Plaintiff's reply in support of his Rule 60(b) Motion and response to Defendant's Motion to Dismiss due on October 5, 2021; and (c) Defendant's reply in support of its Motion to Dismiss due on October 19, 2021.

4. Defendant appreciates the Court's time and resources, and does not make this request lightly. This is Defendant's third request for an extension of time for its Motion to Dismiss the Amended Complaint and response to Plaintiff's Rule 60(b) Motion. Defendant does not bring this Motion for purposes of delay and no party will be prejudiced by granting the relief sought in this Motion.

5. On August 27, 2021, Plaintiff, through his attorney Allison Muth, informed Defendant's attorney that Plaintiff does not oppose this Motion.

WHEREFORE, Defendant respectfully requests that the Court grant this Motion and enter the revised briefing schedule containing the dates in Paragraph 3 above.

Dated: August 27, 2021

Respectfully submitted,

CHICAGO CUT STEAKHOUSE, LLC

By: /s/Antonio Caldarone
One of Its Attorneys

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CERTIFICATE OF SERVICE

I, Antonio Caldarone, an attorney, hereby certify that on August 27, 2021, I caused to be served a copy of the foregoing **Defendant's Agreed Motion for Extension of Time to File its Partial Motion to Dismiss Plaintiff's Amended Complaint and Respond to Plaintiff's Rule 60(b) Motion**, in the above-captioned matter to be filed with the Clerk of the District Court and served on the parties of record, including those listed below, by operation of the Court's CM/ECF electronic filing system, addressed to:

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/s/Antonio Caldarone
Antonio Caldarone